

REMARKS

New claims 23 and 24 have been added by amendment herein.

Claims 1–3, 5–7, 12–14 and 16–18 were rejected under 35 U.S.C. 103(a) over U.S. Patent No. 5,136,376 to Yagasaki in view of U.S. Patent No. 5,640,388 to Woodhead. For the following reasons, the rejection is respectfully traversed.

Regarding claims 1 and 12, neither Yagasaki nor Woodhead nor any combination thereof teaches or suggests “a processing time measuring unit for measuring the *compression encoding time* via the video compression unit” as required. The Examiner acknowledges that Yagasaki does not teach this limitation. Therefore, Woodhead has been cited for this purpose. Woodhead teaches measuring the transit time of a packet through a buffer (122) “by subtracting its entrance time from its exit time” (column 18, lines 59–64). The output of the buffer (122) is connected to an output control (124), which controls the rate at which the packets are output from the buffer (122) (column 12, lines 27–30). Thus, the “transit” time is only indicative of the time packet waits in the buffer (122) to be output by the output control (124). There is no teaching in Woodhead of measuring a compression encoding time. Woodhead *does* teach the use of MPEG-2 encoding, which uses compression, by a number of encoders (116a, 117a, 117b, 117c). This compression encoding takes place prior to the transmission of a packet to the buffer (122) mentioned above. Woodhead does not teach or suggest measuring the time it takes the encoders (116a, 117a, 117b, 117c) to perform their function. Thus, the measuring of compression encoding time required by claims 1 and 12 is not taught or suggested by Woodhead. Therefore, even if Yagasaki and Woodhead were combined, every limitation of the claims would not be taught or suggested by the combination and thus, claims 1 and 12 are patentable over the prior art of record. Further, since claims 2, 3, 5–7, 13, 14 and 16–18 each depend from one of claims 1 and 12, they are patentable for the same reasons.

Further, regarding claims 1 and 12, neither Yagasaki nor Woodhead nor any combination thereof teaches or suggests “a processing time measuring unit for measuring . . . the *transmission time via the video transmission unit*,” as required. The Examiner acknowledges that Yagasaki does not teach this limitation. Therefore, Woodhead has been cited for this purpose. With reference to “transit time,” Woodhead discloses that “the measured transit times of packets through the buffer are used to determine a ratio, α , of encoder clock 117 frequency” (column 18, lines 64-66) and “is used to adjust the output rate of packets from the buffer so as to maintain a substantially constant average transit time of packets through the buffer” (column 19, lines 2-4). That is, Woodhead aims at making the output rate packets from the buffer substantially constant. In contrast, according to the claimed invention, the time required for video compression and video transmission can be identical and thus the claimed invention can operate the video compression unit/step and the video transmission unit/step in parallel. Therefore, even if Yagasaki and Woodhead were combined, every limitation of the claims would not be taught or suggested by the combination and thus, claims 1 and 12 are patentable over the prior art of record. Further, since claims 2, 3, 5-7, 13, 14 and 16-18 each depend from one of claims 1 and 12, they are patentable for the same reasons.

Claims 4 and 15 were rejected under 35 U.S.C. 103(a) over Yagasaki and Woodhead in view of U.S. Patent No. 5,638,129 to Lee. For the following reasons, the rejection is respectfully traversed.

Claims 4 and 15 depend respectively from claims 1 and 12. For the reasons stated above, neither Yagasaki nor Woodhead nor any combination thereof teaches or suggests every limitation of claims 1 and 12. Further, Lee does not teach or suggest the limitations of which Yagasaki and Woodhead are deficient. Therefore, for the same reasons as explained above with regard to claims 1 and 12, claim 4 and 15 are patentable over the prior art of record.

Claims 9, 10, 20 and 21 were rejected under 35 U.S.C. 103(a) over Yakasaki and Woodhead in view of U.S. Patent No. 5,537,409 to Moriyama. For the following reasons, the rejection is respectfully traversed.

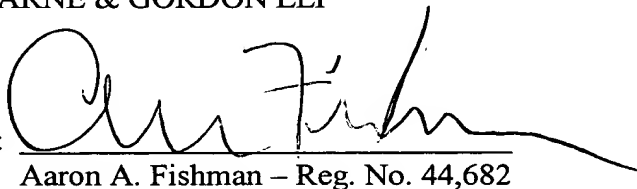
Claims 9 and 10 and claims 20 and 21 depend respectively from claims 1 and 12. For the reasons stated above, neither Yagasaki nor Woodhead nor any combination thereof teaches or suggests every limitation of claims 1 and 12. Further, Moriyama does not teach or suggest the limitations of which Yakasaki and Woodhead are deficient. Therefore, for the same reasons as explained above with regard to claims 1 and 12, claims 9, 10, 20 and 21 are patentable over the prior art of record.

If there are any additional fees resulting from this communication, please charge same to our Deposit Account No. 16-0820, our Order No. 33826.

Respectfully submitted,

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By:

A handwritten signature in black ink, appearing to read "Aaron Fishman", written over a horizontal line.

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